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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/284,736	04/19/1999	TAKASHI SAKAKURA	2565-171P	2727

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EXAMINER
WILLETT, STEPHAN F

ART UNIT	PAPER NUMBER
2152	6

DATE MAILED: 06/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	Applicant(s)
09/284,736	Sakakura
Examiner	**Art Unit**
Stephan Willett	2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *Apr 19, 1999* .

2a) ☐ This action is **FINAL.** 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-21* is/are rejected.

7) ☒ Claim(s) *22* is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☒ All b) ☐ Some* c) ☐ None of:

1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 6
4) ☐ Interview Summary (PTO-413) Paper No(s). _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Title Change

1. Pursuant to MPEP 606.01, the title should be changed to provide a complete and detailed description of the invention.

Drawings

2. The drawings are objected to because of the informalities noted on the attached PTO 948. Correction is required.

3. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Allowable Subject Matter

4. Claim 22 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reuss with Patent Number 5,579,318 in view of Yazuki with Patent Number 6,055,545

7. Regarding claim(s) 1, 21, Reuss teaches a system to maintain concurrent data. Reuss teaches *a plurality of users*, col. 5, lines 33. Reuss teaches *a server to control updates*, col. 6, lines 28-29. Reuss teaches *a time synchronized clock*, col. 8, lines 11-12. Reuss teaches *processing an update request with a time stamp*, col. 6, lines 32-34. Reuss teaches *repeated requests*, col. 6, lines 39. Reuss teaches *an update order*, col. 7, lines 18-19. Reuss teaches the invention in the above claim(s) except for explicitly teaching *deciding an update order* In that Reuss operates to generate service requests in a concurrent database system, the artisan would have looked to the network database arts for details of implementing updates. In that art, Yazuki, a related network updating management system, teaches "updating optional data", col. 7, lines 34 in order to provide concurrent data. Yazuki specifically teaches "the reference request is executed .. At the time point when the timing signal is received", col. 9, lines 51-53. When two processes share an identical time, an order is determined. Further, Yazuki suggests that "execution of the request is not held but executed real time", col. 9, lines 58-59 will result from implementing his updating system. The motivation to incorporate ordering insures that a variable ordering scenarios are achieved Thus, it would have been obvious to one of ordinary skill in the art to incorporate ordering as taught in Yazuki into the updating system described in the Reuss patent because Reuss operates with updates and Yazuki suggests that optimization can be obtained with variable ordering schemes. Therefore, by the above rational, the above claim(s)

are rejected.

8. Regarding claims 2-3, 14, Reuss teaches *an update period and related time periods*, col. 12, 10, lines 5-6, 39. Thus, the above claim limitations are obvious in view of the combination.

9. Regarding claims 4, Reuss teaches *reordering an update after a time period expires,* col. 12, lines 56-59. Thus, the above claim limitations are obvious in view of the combination.

10. Regarding claims 5, 17, Reuss teaches *an update predicting value* as updated or not, col. 9, lines 66-67. Thus, the above claim limitations are obvious in view of the combination.

11. Regarding claims 6, 8-9, 11-12, Reuss teaches *user notification,* col. 7, lines 7-9. Thus, the above claim limitations are obvious in view of the combination.

12. Regarding claims 7, Yazuki teaches *update logs,* col. 10, lines 3-4. Thus, the above claim limitations are obvious in view of the combination.

13. Regarding claims 10, Reuss teaches *differential data*, col. 10, lines 28-29. Thus, the above claim limitations are obvious in view of the combination.

14. Regarding claims 13, 15, Reuss teaches *updating user out of date data*, col. 10, lines 51-54. Thus, the above claim limitations are obvious in view of the combination.

15. Regarding claims 16, Reuss teaches *conditions to monitor shared data* as in a user profile, col. 10, lines 59-60. Thus, the above claim limitations are obvious in view of the combination.

16. Regarding claims 18-19, Reuss teaches *authentication and encryption,* col. 11, 6, lines 25-26, 27-28. Thus, the above claim limitations are obvious in view of the combination.

17. Regarding claims 20, Reuss teaches *ordering based on issuance time,* col. 8, lines 65-66. Thus, the above claim limitations are obvious in view of the combination.

Conclusion

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is disclosed in the Notice of References Cited.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephan Willett whose telephone number is (703) 308-5230. The examiner can normally be reached Monday through Friday from 8:00 AM to 6:00 PM.

20. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart, can be reached on (703) 305-4815. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-6606.

21. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9605..

sfw

May 30, 2002

LE HIEN LUU
PRIMARY EXAMINER